

8595. Adulteration and misbranding of Mothers Brand Pure Flavor of Vanilla and Lemon. U. S. * * * v. 8 Gross Bottles of Mothers Brand Pure Flavor of Vanilla and 4 Gross Bottles of Mothers Brand Pure Flavor of Lemon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 11565. I. S. Nos. 8378-r, 8379-r. S. No. C-1646.)

On December 23, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 gross bottles of Mothers Brand Pure Flavor of Vanilla and 4 gross bottles of Mothers Brand Pure Flavor of Lemon, consigned on or about July 28, 1919, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the articles had been shipped by the National Food Mfg. Co., St. Louis, Mo., arriving on or about August 11, 1919, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, "Mothers Brand Pure Flavor of Vanilla" (or "Lemon") "Guaranteed Fine Quality * * * The National Food Manufacturing Co., St. Louis."

Adulteration of the articles was alleged in substance in the libels for the reason that certain substances other than vanilla or vanilla extract, or lemon or lemon extract, as the case might be, had been mixed therewith so as to reduce, lower, and injuriously affect their quality and strength. Adulteration was alleged for the further reason that dilute vanilla extract or dilute lemon extract, as the case might be, had been substituted wholly or in part for the article.

It was alleged in substance in the libels that the articles were misbranded for the reason that the labels aforesaid on the bottles, regarding the products therein, were false and misleading in that the articles were not the products which they purported to be, and for the further reason that said labels were calculated to deceive and mislead the purchasers thereof in that the articles were represented to be pure vanilla extract or lemon extract, as the case might be, whereas, in fact and in truth, they were diluted vanilla or lemon extract, respectively. Misbranding was alleged for the further reason that the articles were imitations of, and were offered for sale under the names set forth in their respective labels and were not the products named therein.

On June 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8596. Misbranding of Dr. LeGear's Hog Prescription. U. S. * * * v. 75 Cases * * * 221 Pails * * * and 22 Drums * * * of Dr. LeGear's Hog Prescription. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11901. I. S. No. 8257-r. S. No. W-568.)

On January 27, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cases, each containing 12 packages of 3 $\frac{1}{4}$ pounds, 221 pails, each containing 25 pounds, and 22 drums, each containing 100 pounds, of Dr. LeGear's Hog Prescription, remaining in the original unbroken packages, at San Francisco, Calif., consigned by the Dr. LeGear Medicine Co., part from Luther, Mo., March 28, 1919, and part from St. Louis, Mo., July 30, 1919, alleging that the article had been transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and